

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
January 11, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:04 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr., Councilor Marvin Mulholland

Absent: Councilor Shirley Oldman

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: none

Guests: Kelly Kiogima, Nancy Kiogima, Fred Kiogima, Roger Emery, Rita Shananaquet, Barry Laughlin, Barb Laughlin, Barry Crowell

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Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to adopt the agenda for January 11, 2009 with additions.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to approve the minutes of December 21, 2008 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

No Phone Polls

Elders Comments: No comments at this time.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to accept the Legislative Leader's verbal and written report for January 11, 2009 with confidential items contained therein.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to accept the Treasurer's verbal report for January 11, 2009.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion carried.

9:56 a.m. Motion made by Councilor Kiogima and supported by Councilor McNamara to go into closed session for land #27.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion carried.

9:56 a.m. Recess called.  
10:03 a.m. Meeting resumes in closed session.

10:26 a.m. Motion made by Councilor Kiogima and supported by Councilor Harrington, Jr., to return to open session.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion carried.

10:26 a.m. Recess called.  
10:33 a.m. Meeting reconvened.

Motion made Councilor Harrington, Jr., and supported by Councilor Mulholland to accept the Land and Reservations verbal and written report presented by Chairperson Kiogima.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to approve the authorization and allocation of funding for land purchase #27 to come from Prior Period Funds in accordance with the confidential memo.  
Vote: 4 - Yes, 4 – No (Councilor Mulholland, Treasurer Chingwa, Legislative Leader Law, Councilor Yellowbank), 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion failed.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to accept Councilor Harrington, Jr., verbal report regarding charter schools.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to accept the Legislative Services Attorney verbal and written report for January 11, 2009.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)  
Motion carried.

Motion made by Councilor Yellowbank and supported by Secretary Gasco Bentley to accept the Tribal Chairman verbal and written report for January 11,

2009 with confidential items contained therein as presented by Legislative Leader Law.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to adopt Tribal Resolution: Contract Renewal with the U.S. Department of Health and Human Services Indian Health Service - Sanitation Program Little Traverse Bay Bands of Odawa Indians Well & Septic Systems Contract.

Roll Call: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman -absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor McNamara to adopt Tribal Resolution Request for Funding from General Mills, Champions for Healthy Kids Initiative Little Traverse Bay Bands of Odawa Indians.

Roll Call: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman -absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Enrollment List – A, Eligible for Citizenship dated December 17, 2008 for a total of 16.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Enrollment List – B, Declination (Ineligible) dated December 17, 2008 for a total of 5.

Vote: 7 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to accept Enrollment List – C, Voluntary Relinquishment dated December 17, 2008 for a total of 2.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to acknowledge the receipt of the Annual Citizenship Roll Report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

11:45 a.m. Public Comment: Rita Shananaquet spoke regarding Indian Preference in Hiring, and the donations made to St. Francis Xavier Church. Barry Laughlin spoke regarding Indian Preference in Hiring draft Statute. Fred Kiogima spoke regarding Indian Preference in Hiring draft Statute.

11:52 a.m. Public Comment closed.

Barry Crowell former Director of Finance for the Odawa Casino thanked Tribal Council and all for his employment opportunity to work for the Tribe.

12:05 p.m. Lunch recess called.

1:11 p.m. Meeting reconvened.

Motion made by Councilor Mulholland that Councilor Kiogima and Councilor Yellowbank versions of Waganakising Odawak Statute Indian Preference in Tribal Employment be submitted for referendum.

Motion dies due to lack of support.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to pass Waganakising Odawak Statute Indian Preference in Tribal Employment.

Roll Call: Councilor Harrington, Jr. -yes, Councilor Kiogima-no, Councilor McNamara-yes, Councilor Mulholland-no, Councilor Oldman -absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to pass Waganakising Odawak Statute Tribal Treasurer Responsibilities.

Roll Call: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman -absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to pass Grants, Donations and Other Funding Policy.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

2:23 p.m. Recess called.

2:35 p.m. Meeting resumes.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to remove Indian Preference in Hiring draft Statute (BL) version from the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Harrington, Jr., to remove Office of the Commissioner draft Statute from the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to remove the Odawa Labor Relations draft Statute from the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to remove the Gaming Board of Directors Amendment draft Statute from the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to remove the Amendment to the Legislative Procedures draft Statute from the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor Yellowbank to remove the Tribal Treasurer Reporting Responsibilities to the Tribal Citizens draft Statute from the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor McNamara to post the Gijigowi Anishnaabemowin Language Department to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

3:42 p.m. Recess called.

3:49 p.m. Meeting resumes.

Motion made by Councilor Mulholland and supported by Councilor McNamara to post the Child Protection draft Statute to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to post the Child Welfare Commission draft Statute to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to post to the Legislative Calendar Tribal Resolution: Enjinaaknegeng (Legal Department) shall coordinate with the Chief Financial Officer to determine whether or not any entities or individuals paid for the Right to use the Tribal Seal/logo.

Vote: 4 - Yes, 4 – No (Councilor Kiogima, Treasurer Chingwa, Legislative Leader Law, Councilor Yellowbank), 0 - Abstained, 1 - Absent (Councilor Oldman)

Motion failed.

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to rescind the motion made on October 18, 2008 by Councilor Harrington, Jr., and supported by Councilor Kiogima to adopt the proposed 2009 Tribal Council Work Session/Committee meetings scheduled on Saturdays from 9:00a.m. – 5:00p.m., and the Tribal Council meeting days on Sundays from 9:00a.m. – 5:00p.m., with 1-hour lunches. Vote: 5 - Yes, 3 – No (Treasurer Chingwa, Legislative Leader Law, Councilor Yellowbank), 0 - Abstained, 1 – Absent (Councilor McNamara). And to motion a change to the 2009 Tribal Council Work Session/Committee meetings schedule back to meeting on Saturday from 10:00 a.m. – 4:00 p.m. and Sunday from 9:30 a.m. to 5:00 p.m., with 1.5 hour lunches.

Vote: 5 - Yes, 3 - No (Councilor Mulholland, Councilor Kiogima, Legislative Leader Law), 0 - Abstained, 1 - Absent (Councilor Oldman)

Motion carried.

3:00 p.m. Public Comment opened: no comments.

3:00 p.m. Public Comment closed.

4:47 p.m. Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to adjourn.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

These Minutes have been read and approved as corrected.

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Regina Gasco Bentley, Tribal Council Secretary

Date